UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

OF AMERICA)
Respondent,) }
And) Case No. 26-CA-23180
VEVRIA NELSON, an individual	
Charging Party.))

RESPONDENT CORRECTIONS CORPORATION OF AMERICA'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE EXCEPTIONS AND A SUPPORTING BRIEF TO THE ADMINISTRATIVE LAW JUDGE'S DECISION

Pursuant to Section 102.46(a) of the Board's Rules and Regulations, Respondent Corrections Corporation of America ("Respondent") hereby respectfully moves the Board for an order granting it a one-week extension of time for filing Exceptions and a Supporting Brief in this case, from April 24, 2009, to May 1, 2009. As grounds for this Motion, the Respondent submits the following:

On or about March 27, 2009, Associate Chief Administrative Law Judge William Cates issued a Decision in the above-captioned matter, and an Order transferring this case to the Board. The Order transferring the matter to the Board provides that exceptions to the Administrative Law Judge's Decision are due by April 24, 2009. Section 102.46(a) of the Board's Rules and Regulations states that "within 28 days, or within such further period as the Board may allow," from the date of service of the order transferring the case to the Board, a party may file exceptions to the Administrative Law Judge's decision, and may request an extension of time within which to file the Exceptions and supporting Brief (emphasis added).

In the instant case, the Respondent fully intended to file its Exceptions and Supporting

Brief within this 28-day period; however, James M.L. Ferber, lead counsel for the Respondent,

was unexpectedly hospitalized and underwent emergency surgery on Friday, April 17, 2009.

Because Attorney Ferber tried this case on behalf of the Respondent, his involvement in the

preparation of Respondent's Exceptions and Supporting Brief is critical to its ability to

adequately address the issues, facts, evidence and law in support of these Exceptions.

However, because of his recent surgery, Attorney Ferber is unable to complete his work on the

Exceptions and Supporting Brief prior to the current deadline. As a result, on April 21, 2009,

co-counsel for the Respondent, Tracy Stott Pyles, spoke with Counsel for the General Counsel,

Christopher Roy, and explained the situation regarding Mr. Ferber's surgery. Attorney Roy

stated that he does not object to this requested one-week extension.

For all of the foregoing reasons, Corrections Corporation of America respectfully

requests that the Board exercise the authority granted to it under Section 102.46(a) of the Rules

and Regulations and grant the Respondent's unopposed Motion for an Extension of Time within

which to file its Exceptions and Supporting Brief to the Decision of the Administrative Law

Judge, and issue an order extending the deadline for filing the aforementioned Exceptions and

Brief to May 1, 2009.

Respectfully submitted,

James M.L. Ferber, Esq.

Tracy Stott Pyles, Esq.

Littler Mendelson, P.C.

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Dated: April 21, 2009

Attorneys for Respondent Corrections Corporation of America

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of April, 2009, the foregoing was electronically filed with the Executive Secretary's Office of the National Labor Relations Board, by using the E-Filing system on the Board's website, and that on this same date an original and eight paper copies were served by overnight mail, prepaid, upon:

Mr. Les Heltzer, Executive Secretary National Labor Relations Board 1099 14th Street, NW Washington, DC 20570-0001

And on this same date the foregoing was served via electronic mail and by overnight mail, prepaid, upon the following:

Counsel for the General Counsel Christopher J. Roy, Field Attorney National Labor Relations Board, Region 26 The Brinkley Plaza Building 80 Monroe Avenue, Suite 350 Memphis, TN 38103-2416

And on this same date the foregoing was served via facsimile (404-331-2061) and by overnight mail, prepaid, upon the following:

NLRB Division of Judges Atlanta Office William N. Cates, Associate Chief Administrative Law Judge 401 West Peachtree Street NW Suite 1708 Atlanta, Georgia 30308-3510

And on this same date the foregoing was served by overnight mail, pre-paid, upon the following:

Ronald K. Hooks, Regional Director National Labor Relations Board, Region 26 The Brinkley Plaza Building 80 Monroe Avenue, Suite 350 Memphis, TN 38103-2416

Vevria Nelson 1015 Lindsey Avenue, Apt. A Greenwood, MS 38930

James M. L. Ferber/ Wice

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